

**UNITED STATES DISTRICT COURT**  
for the

Western District of Texas San Antonio

Javier Franco and Emily Franco Individually and as  
Next Friend of her Minor Children, S.F., A.J., and  
G.J.

*Plaintiff(s)*

v.

Borrego Trucky Incorporated Ruben Borrego, and  
Rocio Gascon

*Defendant(s)*

Civil Action No. 5:17-CV-478

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Ruben Borrego  
3220 Clinton Circle  
Tampa, FL 33614

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jim Hart  
Williams Kherkher Hart & Boundas LLP  
8441 Gulf Freeway, Suite 600  
Houston, Texas 77017

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

JEANNETTE J. CLACK

*Signature of Clerk or Deputy Clerk*

Date: \_\_\_\_\_

**MAY 31 2017**



Civil Action No. 5:17-CV-478

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

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*Server's address*

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